

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF NEW YORK

Case number (if known)

Chapter

11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name **Urban Commons 2 West LLC**

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) **83-1819383**

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

**3334 East Coast Highway, No. 350
Corona Del Mar, CA 92625**

Number, Street, City, State & ZIP Code

P.O. Box, Number, Street, City, State & ZIP Code

Orange
County

Location of principal assets, if different from principal place of business

2 West Street New York, NY 10004
Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor Urban Commons 2 West LLC Case number (if known) _____
Name

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

7211

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. *Check all that apply:*

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- ☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

Case number (if known)

☐ No
☐ Yes.

Debtor District	When	Relationship Case number, if known
--------------------	------	---------------------------------------

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

Phone

☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

☐ More than \$50 billion

☐ \$500,000,001 - \$1 billion

Debtor

Urban Commons 2 West LLC

Case number (if known)

Name

☐ \$50,001 - \$100,000
☐ \$100,001 - \$500,000
☐ \$500,001 - \$1 million

☐ \$10,000,001 - \$50 million
☐ \$50,000,001 - \$100 million
☒ \$100,000,001 - \$500 million

☐ \$1,000,000,001 - \$10 billion
☐ \$10,000,000,001 - \$50 billion
☐ More than \$50 billion

Debtor **Urban Commons 2 West LLC** Case number (if known) _____
Name

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **November 15, 2022**
MM / DD / YYYY

X /s/ Taylor Woods
Signature of authorized representative of debtor

Title **Authorized Signatory**

Taylor Woods
Printed name

18. Signature of attorney

X /s/ Robert L. Rattet
Signature of attorney for debtor

Date **November 15, 2022**
MM / DD / YYYY

Robert L. Rattet
Printed name

Davidoff Hutcher & Citron LLP
Firm name

605 Third Avenue
34th Floor
New York, NY 10158
Number, Street, City, State & ZIP Code

Contact phone **212 557 7200** Email address **rlr@dhclegal.com**

1674118 NY
Bar number and State

Fill in this information to identify the case:

Debtor name Urban Commons 2 West LLC

United States Bankruptcy Court for the: SOUTHERN DISTRICT OF NEW YORK

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☒ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☒ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ Amended Schedule _____
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 15, 2022

X /s/ Taylor Woods

Signature of individual signing on behalf of debtor

Taylor Woods

Printed name

Authorized Signatory

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name **Urban Commons 2 West LLC**
 United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF NEW YORK**
 Case number (if known): _____

☐ Check if this is an
amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Battery Park City Authority c/o Ephron-Mandel & Howard L.L.P. attn: Damon P. Howard 299 Broadway, 17th Floor New York, NY 10007		Landlord of the hotel at 2 West Street Battery Place, New York, New York 10004, that the Debtor owns pursuant to a lease	Disputed			\$13,737,073.52
Con Edison 4 Irving Place New York, NY 10003		Utilities				\$125,450.86
Direct Energy Business 1001 Liberty Avenue Pittsburgh, PA 15222		Utilities				\$53,139.66
Highgate Hotels, L.P. 870 Seventh Avenue, 2nd Floor New York, NY 10019			Disputed			\$1,800,000.00
Ichigo, Inc. Imperial Hotel Tower 1-1-1, Uchisaiwaicho Chiyoda-ku, Tokyo, Japan		Bond holders				\$5,000,000.00
Landmark Ventures (USA) Inc. 475 Park Avenue South, 25th Floor New York, NY 10016		Judgment creditor				\$59,524.45

Debtor **Urban Commons 2 West LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
LHW Services GMBH Haldenstrasse 23, 6006 Lucerne, Switzerland		Judgment creditor				\$94,460.20
New York Hotel & Motel Trades Council Attn: Peter Ward 707 Eighth Avenue New York, NY 10036			Unliquidated			\$2,000,000.00
NY Hotel Trades Council Employee Benefit Funds 305 West 44th Street New York, NY 10036						\$0.00
NYC Environmental Control Board 66th John Street, 10th Floor New York, NY 10038		Judgment creditor				\$3,000.00

**United States Bankruptcy Court
Southern District of New York**

In re **Urban Commons 2 West LLC**

Debtor(s)

Case No.
Chapter

11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Urban Commons Battery Park LLC		100%	Owner

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **Authorized Signatory** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **November 15, 2022**

Signature **/s/ Taylor Woods**
Taylor Woods

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*

**United States Bankruptcy Court
Southern District of New York**

In re **Urban Commons 2 West LLC**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Authorized Signatory of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **November 15, 2022**

/s/ Taylor Woods

Taylor Woods/Authorized Signatory

Signer/Title

BPC Lender, LLC c/o Herrick, Feinstein LLP Attn: Avery Mehlman 2 Park Avenue New York, NY 10016	LHW Services GMBH Haldenstrasse 23, 6006 Lucerne, Switzerland	Urban Commons 2 West III L
---	---	----------------------------

Con Edison 4 Irving Place New York, NY 10003	Matco Service Corporation 584 Mineola Avenue Carle Place, NY 11514	Urban Commons 2 West IV L
--	--	---------------------------

Direct Energy Business 1001 Liberty Avenue Pittsburgh, PA 15222	Mezz Debt Guaranteed by the LLC	Urban Commons 2 West Op. I
---	---------------------------------	----------------------------

ERJMJ, Investments LP 92 S. La Sendra Drive Laguna Beach, CA 92651	Millennium BPC Development, LLC 1995 Broadway New York, NY 10023	WCK XS Services, Inc. 26 Journal Square Plaza, S Jersey City, NJ 07306
--	--	--

Galaxy Investment Capital Inc 81 N. Mentor Avenue Pasadena, CA 91106	Miscellaneous	West Bay Capital, LLC 222 N. Pacific Coast Highway El Segundo, CA 90245
--	---------------	---

George M. Lee Trustee of the MSL Family Trust 81 N. Mentor Avenue Pasadena, CA 91106	New York Hotel & Motel Trades Union Attn: Peter Ward 707 Eighth Avenue New York, NY 10036	Robertly Allison Tong & Co 300 Spectrum Center Drive Irvine, CA 92618
---	--	---

Highgate Hotels, L.P. 870 Seventh Avenue, 2nd Floor New York, NY 10019	NY Hotel Trades Council Employee Benefit Funds 305 West 44th Street New York, NY 10036
--	---

Ichigo, Inc. Imperial Hotel Tower 1-1-1, Uchisaiwaicho Chiyoda-ku, Tokyo, Japan	NYC Environmental Control Board 66th John Street, 10th Floor New York, NY 10038
--	---

Kone Inc. 4225 Naperville Road, Suite 400 Lisle, IL 60532	Residential Board of Managers of MPC c/o Michael S. Hiller Hiller, P.C. 641 Lexington Avenue New York, NY 10022
---	---

**United States Bankruptcy Court
Southern District of New York**

In re **Urban Commons 2 West LLC**

Debtor(s)

Case No.

Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Urban Commons 2 West LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

Urban Commons Battery Park LLC

☐ None [*Check if applicable*]

November 15, 2022

Date

/s/ Robert L. Rattet

Robert L. Rattet

Signature of Attorney or Litigant

Counsel for **Urban Commons 2 West LLC**

Davidoff Hutcher & Citron LLP

605 Third Avenue

34th Floor

New York, NY 10158

212 557 7200 Fax:212 286 1884

rlr@dhclegal.com

**United States Bankruptcy Court
Southern District of New York**

In re **Urban Commons 2 West LLC**

Debtor(s)

Case No.
Chapter

11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, **Taylor Woods**, declare under penalty of perjury that I am the **Authorized Signatory** of **Urban Commons 2 West LLC**, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the 14th day of **November, 2022**.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Taylor Woods, Authorized Signatory** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter **11** voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Taylor Woods, Authorized Signatory** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Taylor Woods, Authorized Signatory** of this Corporation is authorized and directed to employ **Robert L. Rattet**, attorney and the law firm of **Davidoff Hutcher & Citron LLP** to represent the corporation in such bankruptcy case."

Date **November 14 2022**

Signed

Taylor Woods

Resolution of Board of Directors
of
Urban Commons 2 West LLC

Whereas, it is in the best interest of this corporation to file a voluntary petition in the the United States Bankruptcy Court pursuant to Chapter **11** of Title 11 of the United States Code;

Be It Therefore Resolved, that **Taylor Woods, Authorized Signatory** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter **11** voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Taylor Woods, Authorized Signatory** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Taylor Woods, Authorized Signatory** of this Corporation is authorized and directed to employ **Robert L. Rattet**, attorney and the law firm of **Davidoff Hutcher & Citron LLP** to represent the corporation in such bankruptcy case.

Date **November 14 2022** _____

Signed _____

Date _____

Signed _____